

REMARKS

Claims 1-9 and 11-25 are pending. By the Office Action, claims 1-19 and 21-25 are rejected under 35 U.S.C. §102. By this Amendment, claims 4 and 9 are amended and claim 10 is canceled. Support for amended claims 4 and 9 can be found in original claim 10. No new matter is added.

Applicants thank the Examiner for the indication that claim 20 is objected to as being dependent upon a rejected base claim, but is otherwise allowable.

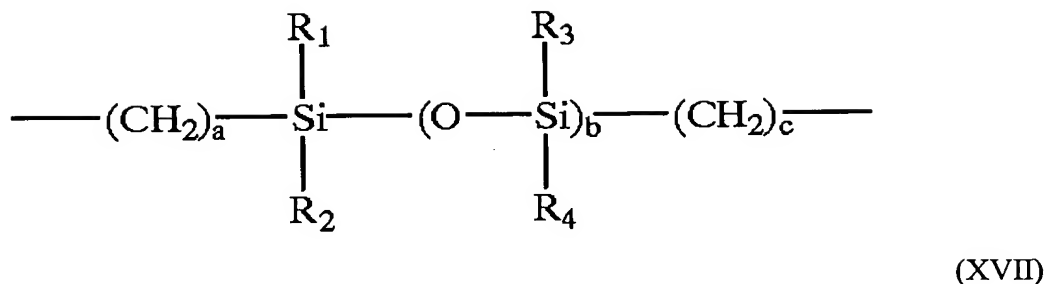
I. Rejections Under 35 U.S.C. §102

A. Puyenbroek

Claims 1-6, 8-18 and 24 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 6,072,010 to Puyenbroek. Applicants respectfully traverse this rejection.

The Office Action argues that Puyenbroek anticipates the instant claims, based on the disclosure of a polyetherimide-b-polysiloxane block copolymer at col. 6, line 26 to col. 7, line 2. The Office Action argues that the block copolymer of Puyenbroek can include more than 50% by weight of polysiloxane blocks, based on the disclosure that b can be from about 1 to about 40. See Puyenbroek at col. 6, lines 64-65. Applicants respectfully disagree, because the disclosure of the variable b in Puyenbroek does not teach that the block copolymer includes more than 50% by weight of polysiloxane blocks, as claimed.

In Puyenbroek, the reference teaches that the siloxane block can be represented by the following formula (XVII):



where b can be an integer from 1 to about 40. Col. 6, lines 29-65. However, the variable b in formula (XVII) merely indicates a relative number of O-SiR₃R₄ units in the siloxane unit, not to the relative number of overall siloxane units to etherimide units in the block copolymer. That is, while increasing the variable b in formula (XVII) of Puyenbroek will increase the molecular weight of the resultant product, the variable b teaches essentially nothing with respect to the overall weight percent of the siloxane units in the block copolymer.

Instead, Puyenbroek includes a specific description of the ratio of etherimide and siloxane units in the block copolymer. At col. 7, lines 33-37, Puyenbroek specifically teaches as follows:

In a preferred embodiment, the copolymer comprises from 50 to 80 mole % of the diamine and from 20 to 50 mole % of the amine terminated organosiloxane, based on the combined amount of diamine and amineterminated organosiloxane.

(Emphasis added). Puyenbroek thus specifically teaches that the copolymer contains only up to 50 mole % of the polysiloxane blocks, regardless of the specific value selected for the variable b.

Furthermore, the only specific example of a block copolymer resin disclosed in Puyenbroek, at Comparative Example 1 and Examples 1 and 2, contains only 34 weight% siloxane units. See col. 9, lines 52-58.

Accordingly, Puyenbroek does not specifically disclose a polyetherimide-b-polysiloxane block copolymer comprising etherimide blocks and siloxane blocks, wherein said copolymer contains more than 50% by weight of said polysiloxane blocks, as claimed.

Puyenbroek thus cannot anticipate the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

B. Schlueter, Jr.

Claims 9, 19, and 21-25 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 6,201,945 to Schlueter, Jr. et al. ("Schlueter").

Although Applicants do not necessarily agree with this rejection, in the interest of advancing prosecution claim 9 is amended to incorporate the subject matter of non-rejected claim 10. Accordingly, claim 9 is patentable over the cited reference. Reconsideration and withdrawal of the rejection are respectfully requested.

C. Reitz

Claims 1-18 and 21-23 are rejected under 35 U.S.C. §102(b) over U.S. Patent Publication No. 2003/0057601 to Reitz. Applicants respectfully traverse this rejection.

The Office Action argues that Reitz anticipates the instant claims, based on the disclosure of a polyetherimide-b-polysiloxane block copolymer at paragraphs [0028]-[0029] and [0044]-[0045]. The Office Action argues that the block copolymer of Reitz can include more than 50% by weight of polysiloxane blocks, based on the disclosure that b [sic, n] can be from about 1 to about 200. Applicants respectfully disagree, because the disclosure of the siloxane unit amount in Reitz does not teach that the block copolymer includes more than 50% by weight of polysiloxane blocks, as claimed.

Reitz suffers from the same deficiencies as Puyenbroek, discussed in detail above. That is, Reitz also discloses that the copolymer can be a copolymer of polyetherimides and polysiloxanes, such as a copolymer of the polyetherimides of formula (V) and polysiloxanes of formula (XII). Formula (XII) of Reitz generally corresponds to the above formula (XVII) of Puyenbroek, where the variable n in Reitz is used in place of the variable b in Puyenbroek. The Office Action then relies on the disclosure in Reitz that the variable n can be an integer from 1 to about 200. Paragraph [0045]. However, the variable n in formula (XII) merely

indicates a relative number of O-SiRR units in the siloxane unit, not to the relative number of overall siloxane units to etherimide units in the block copolymer. That is, while increasing the variable n in formula (XII) of Reitz will increase the molecular weight of the resultant product, the variable n teaches essentially nothing with respect to the overall weight percent of the siloxane units in the block copolymer.

Instead, Reitz includes a specific description of the weight ratio of etherimide and siloxane units in the block copolymer. At paragraph [0046], Reitz specifically teaches that the polysiloxane oligomer is present in an amount of greater than about 1 weight %, preferably greater than about 3 weight %, and more preferably greater than about 5 weight % of the copolymer, and in an amount of less than about 60 weight %, preferably less than about 45 weight %, and more preferably less than about 40 weight % of the copolymer. In the only specific examples in the reference, Reitz teaches that the polysiloxane oligomer is present in an amount of only between 2.5 and 10 weight % of the copolymer. See Examples 2-3 and 7-9 at paragraph [0097].

Thus, although Reitz broadly discloses a siloxane content of up to 60 weight %, Reitz does not exemplify such a copolymer, and thus does not teach the claimed invention. In fact, Reitz teaches away from the claimed invention, by teaching that the siloxane content is preferably less than 45 weight %, and even more preferably less than 40 weight % of the copolymer. In the absence of a teaching of a specific embodiment of the claimed invention, Reitz cannot anticipate the claimed invention.

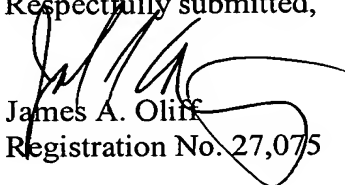
Accordingly, Reitz does not disclose a polyetherimide-b-polysiloxane block copolymer comprising etherimide blocks and siloxane blocks, wherein said copolymer contains more than 50% by weight of said polysiloxane blocks, as claimed. Reitz thus cannot anticipate the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

II. Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the above-identified patent application is in condition for allowance. Favorable consideration and prompt allowance are therefore respectfully requested.

Should the Examiner believe anything further would be necessary in order to place the application in condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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